



**US Army Corps
of Engineers.**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	ADS-MVK-2006-1647
EVALUATOR:	Mr. Arel Simpson
PHONE NO.:	(601) 631-5996
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	May 15, 2007
EXPIRATION DATE:	June 5, 2007

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Mississippi Department of Environmental Quality, Office of Environmental Services, are considering an application for a Department of the Army permit and State water quality certification for the work described herein. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F, at the above address, and the Mississippi Department of Environmental Quality, Office of Environmental Services, Post Office Box 10385, Jackson, Mississippi 39289-0385, and must reach these offices by the cited expiration date.

The proposed project is located within the coastal zone. The Mississippi Department of Marine Resources has issued a 30-day public notice for project comments. The proposed project would lie within the Stennis Space Center Acoustic Buffer Zone.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged and/or fill material into waters of the United States.

Name of Applicant:

Pearlington Dirt, LLC &
J. Levens Builders, Incorporated
Post Office Box 12466
Long Beach, Mississippi 39560

Name of Agent:

SoilTech Consultants,
Incorporated
Post Office Box 779
Jackson, Mississippi 39236

Location of Work: Sections 10 and 11, T9S-R16W, latitude 30°16'12"N longitude 89°34'48"W, within the Pearl River drainage basin, Hancock County, near Pearlington, Mississippi.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for an after-the-fact Department of the Army permit for mechanized land clearing and fill activities associated with the construction and operation of a surface mine. The surface mine operation would provide a source of fill material as a part of the New Orleans levee repairs.

Approximately 6.4 acres of jurisdictional pine flatwood wetlands have been cleared and land leveled. An additional 112.1 acres of pine flatwood wetlands would be impacted upon project completion.

The surface mine site would cover approximately 350 acres of a 371.47-acre cutover pine plantation and pine flatwood tract upon completion. The proposed surface mine would have a green buffer zone approximately 100 feet wide along the north and south property line and north and south sides of Whites Road. The buffer zone would be approximately 65 feet wide along the east property line and approximately 85 feet wide along the west property line to meet Mississippi Department of Environmental Quality requirements.

The proposed surface mine would impact approximately 113.67 acres of jurisdictional wetlands. The mining operation would also involve the construction of a sedimentation pond near the south property line. The sedimentation pond would cover approximately 6.73 acres of the total site and impact approximately 4.83 acres of pine flatwoods. The proposed surface mine would impact a total of 118.5 acres of jurisdictional pine flatwoods wetlands.

The completed surface mine would vary in depth from 20 to 40 feet. The side slopes of the completed surface mine would be 3 to 1. The proposed surface mine would provide approximately 266,000 cubic yards of clay, silt, and fine sand during construction. The fill material would be excavated using a track hoe and hauled to the work sites in trucks.

Whites Road traverses east and west through the southern portion of the proposed surface mine. C.B. Murphy School Road and Deans Road intersect near the southwest corner of the proposed surface mine. Whipple Road runs north and south along the eastern boundary of the proposed surface mine.

The vegetation within the impact area consists of yaupon, waxmyrtle, loblolly pine, American holly, inkberry, broomsedge, water oak, bushy bluestem, blackgum, and laurel greenbrier.

The applicant's mitigation proposal for wetland impacts would be on site and adjacent property. The mitigation would be in the form of restoration, enhancement, and preservation of wetlands. The mitigation site would be adjacent to the National Aeronautical Space Administration mitigation sites within the Stennis Space Center Acoustic Buffer Zone and covers approximately 1,000 acres.

The placement of dredged and/or fill material in wetlands associated with the mechanized land clearing requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment, and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Hancock County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

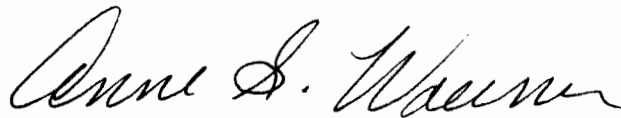
Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

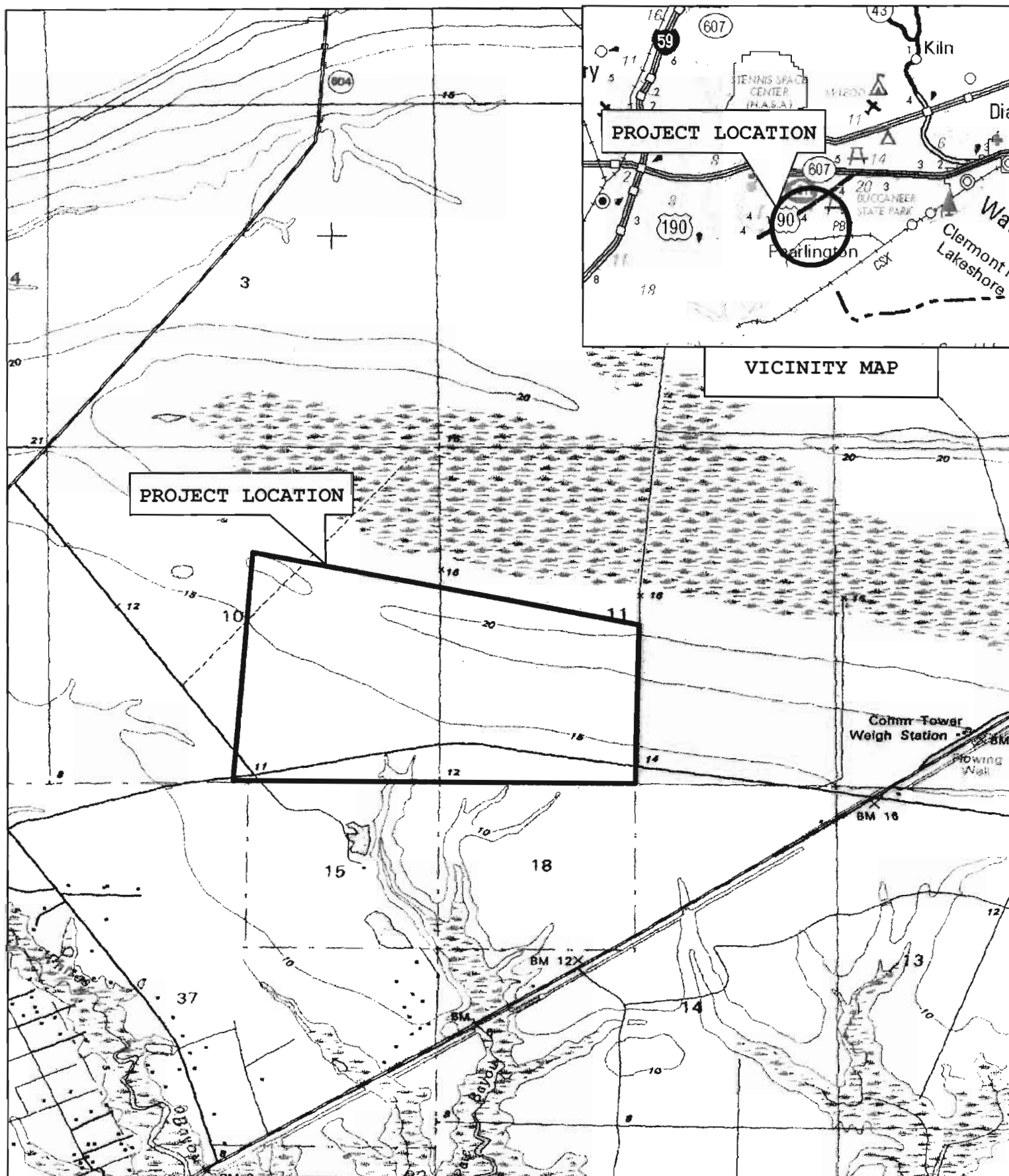
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.



Anne S. Woerner
Acting Chief, Evaluation Section

PROPOSED SURFACE MINE



PROJECT LOCATION

PROJECT LOCATION

VICINITY MAP

LOGTOWN QUAD

1:24,000



CEMVK-ADS-MVK-2006-1647

PEARLINGTON DIRT LLC

J LEVENS BUILDERS INC

TOTAL PROJECT AREA = 371.47 AC
TOTAL WETLAND IMPACTS
(INCLUDING SEDIMENTATION POND) = 118.50 AC

DISTRICT BOUNDARY

79.71 AC

33.96 AC

PROPOSED SEDIMENTATION POND
Total Area = 6.73 AC
Wetland Impacts = 4.83 AC

Vicksburg District, CE
 Approved JD
 ID# *MVK-2006-1647*
 Date *08 May 2007*
 Signature *[Signature]*

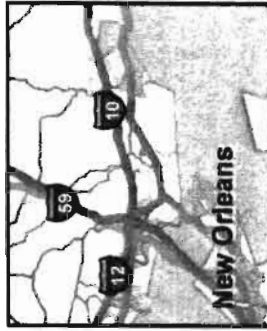
Hancock County,
Mississippi



08 May 2007

MVK-2006-1647

Pearlington Dht, LLC
 371.47-acre project site
 Pearllington, MS
 Section(s) 10 & 11, T9S-R16W
 Logtown, MS Quad
 Hancock County, Mississippi
 Approved
 Jurisdictional Determination
 Kirk J. Ross

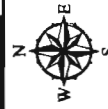


Legend

- District Boundary
- Overall Project Site
- ▨ Wetlands

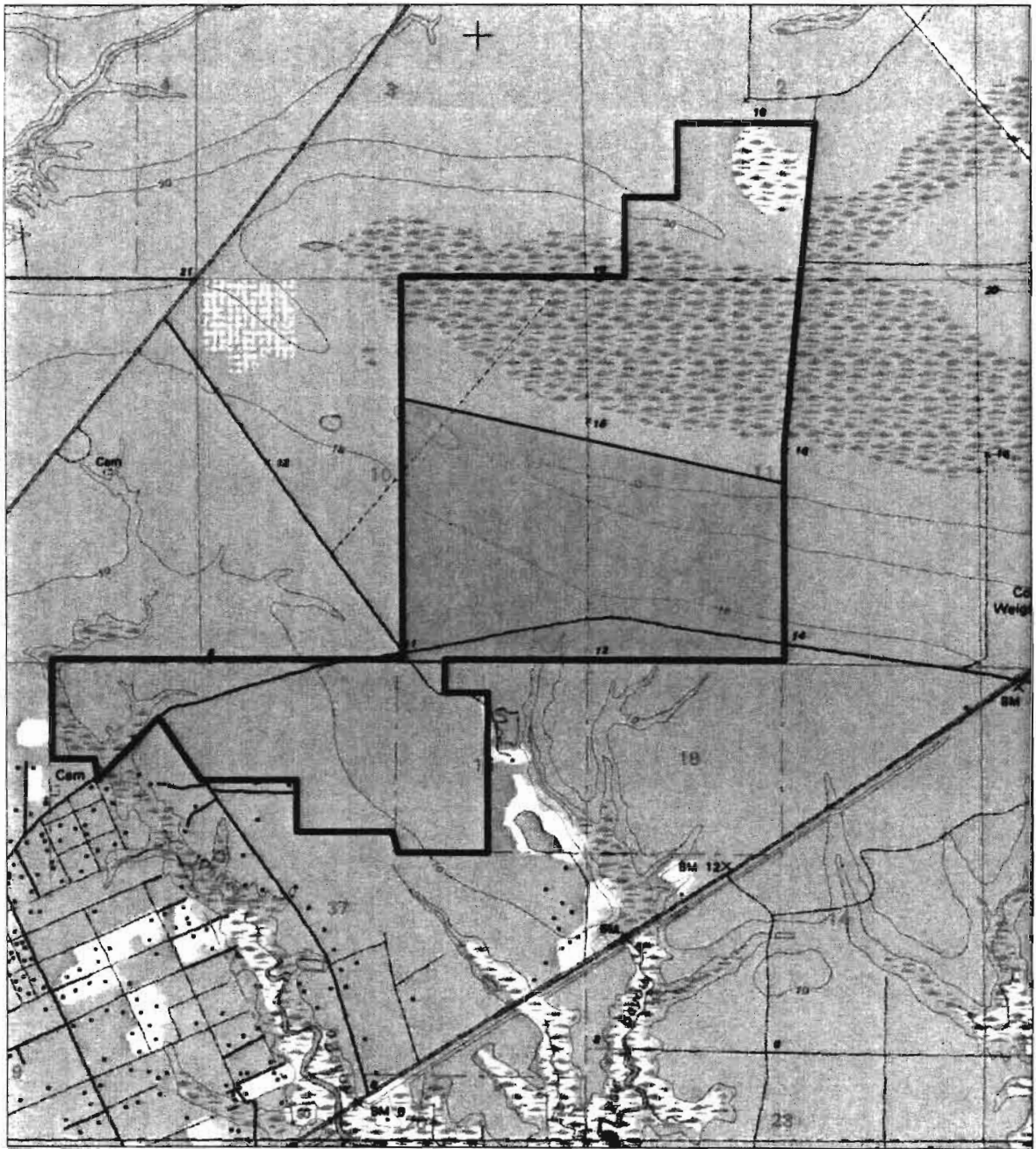


**US Army Corps
of Engineers.**



**Regulatory Branch
Enforcement Section**

0 500 1,000 Feet



**J. Levens Builders, Inc.
Proposed Surface Mine
Pearlington, Mississippi**



SOILTECH CONSULTANTS
Geotechnical and Environmental

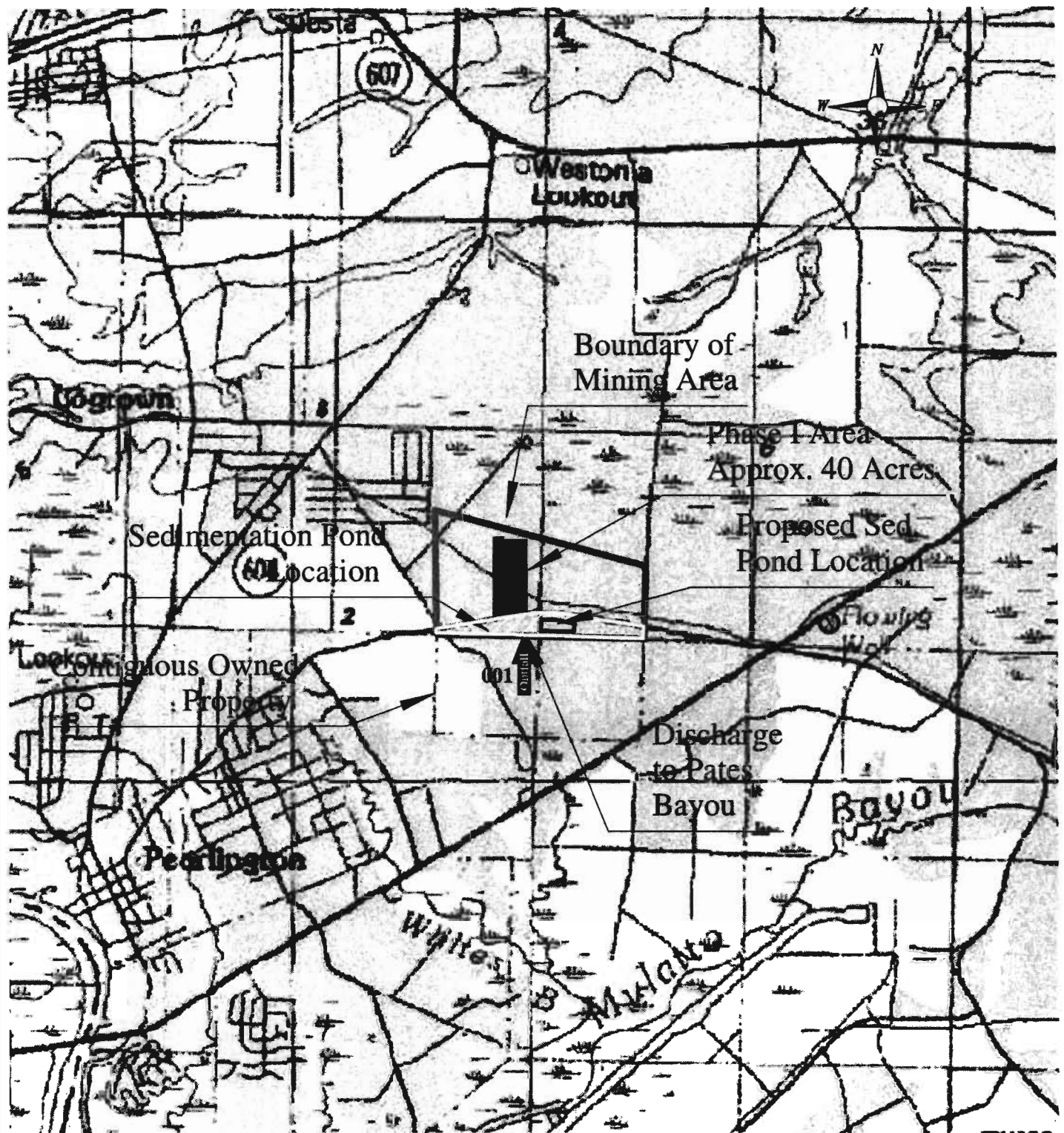
**Figure 1
Location of
Surface Mine (blue)**

DRAWN BY:	J.E.M.	DATE	SCALE
CHECKED BY:	J.E.M.	7/18/06	1" ~ 2,300'



CEMVK-OD-FE ADS-MVK-2006-1647

PEARLINGTON DIRT LLC
J LEVENS BUILDERS INC



LEGEND

⊗ Well

001 **Outfall** Outfall Number and Location

1.5 in = 1 Mile

E₂C

Epco Environmental and Consulting, PLLC
410 N. Main Street, Water Valley, MS 38965

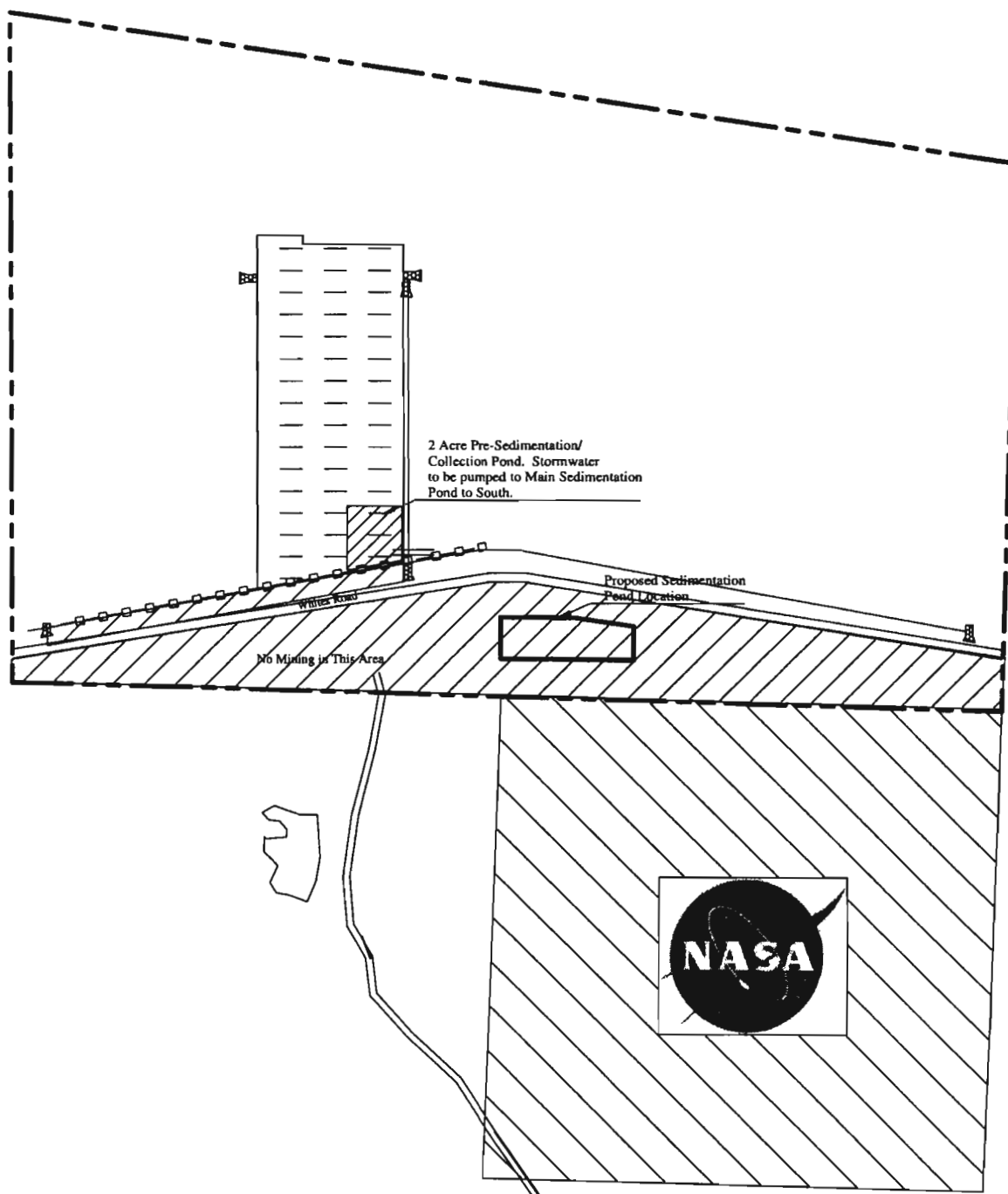
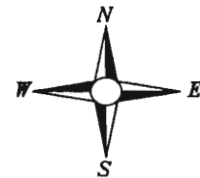
TITLE
Site Location
Pearlington Dirt, LLC
Levens Surface Pit
Highway 90

Source: USGS Logtown, MS
7.5' Quadrangle, 1993

CEMVK-OD-FE

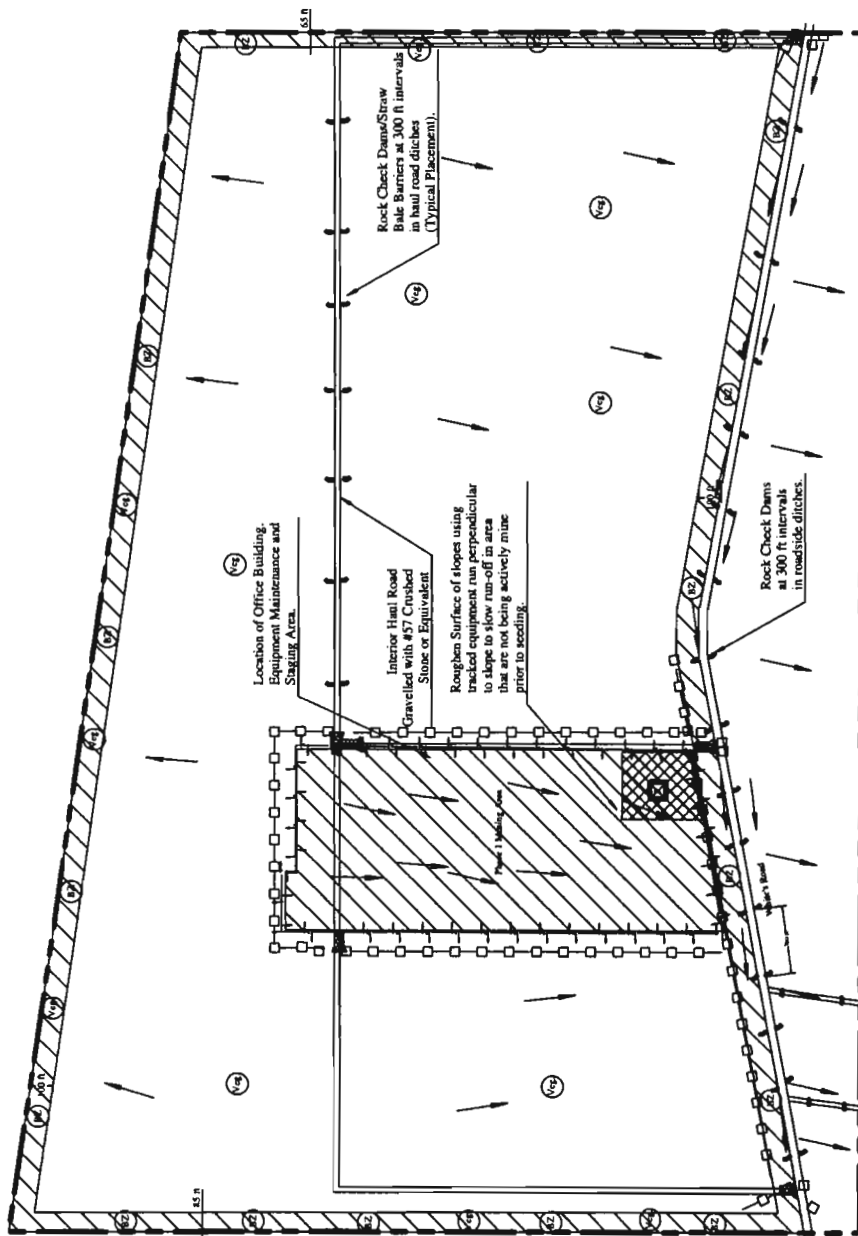
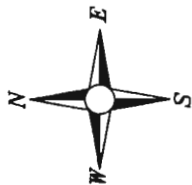
ADS-MVK-2006-1647

PEARLINGTON DIRT LLC
J LEVENS BUILDERS INC



CEMVK-OD-FE ADS-MVK-2006-1647

PEARLINGTON DIRT LLC
J LEVENS BUILDERS INC

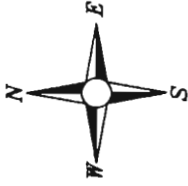


LEGEND

- Construction Entrance/Exit
- Property Line
- Sediment Fence
- Run-off/Runoff Diversion Berm
- Buffer Zone
- Run-Off Direction
- Retention Basin
- Mainstem Vegetation (Grass) in Non-Active Mine Area
- Rock Check Dams

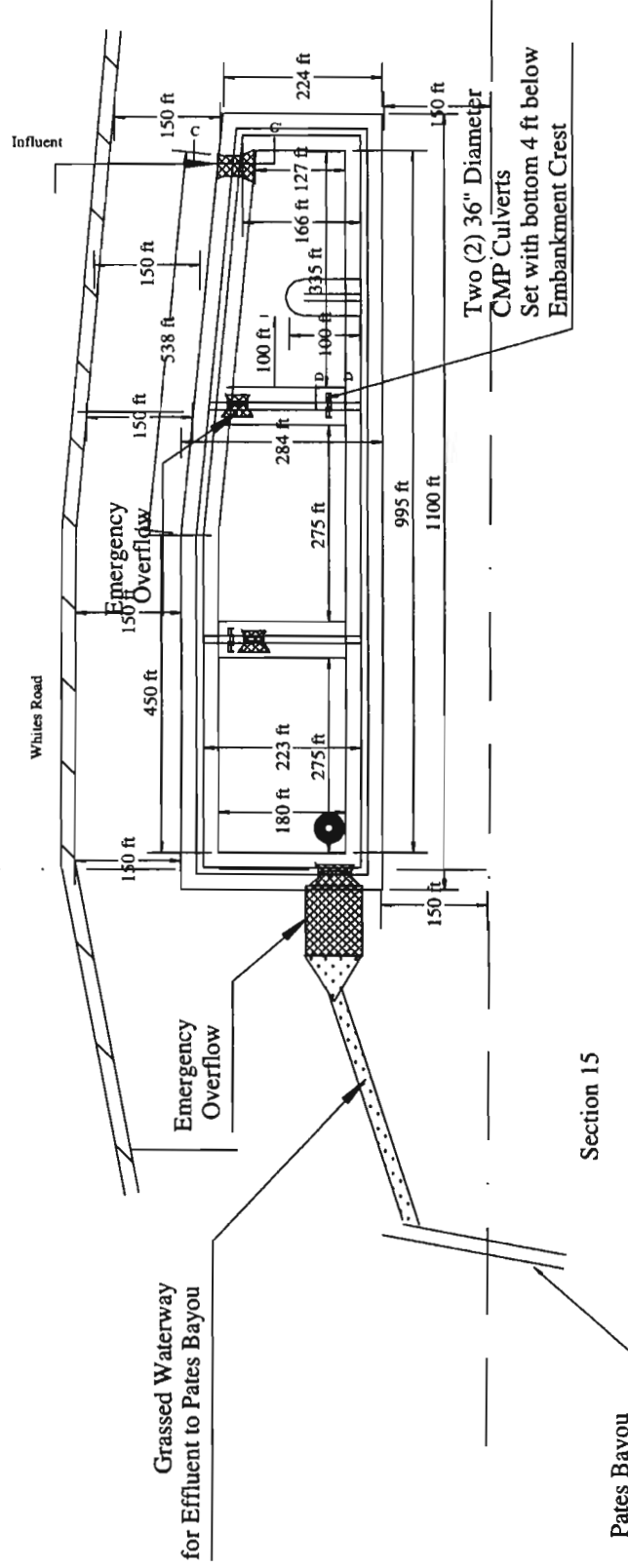
CEMVK-OD-FE ADS-MVK-2006-1647

PEARLINGTON DIRT LLC
J LEVENS BUILDERS INC



Section 10

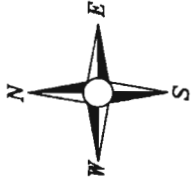
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CEMVK-OD-FE ADS-MVK-2006-1647

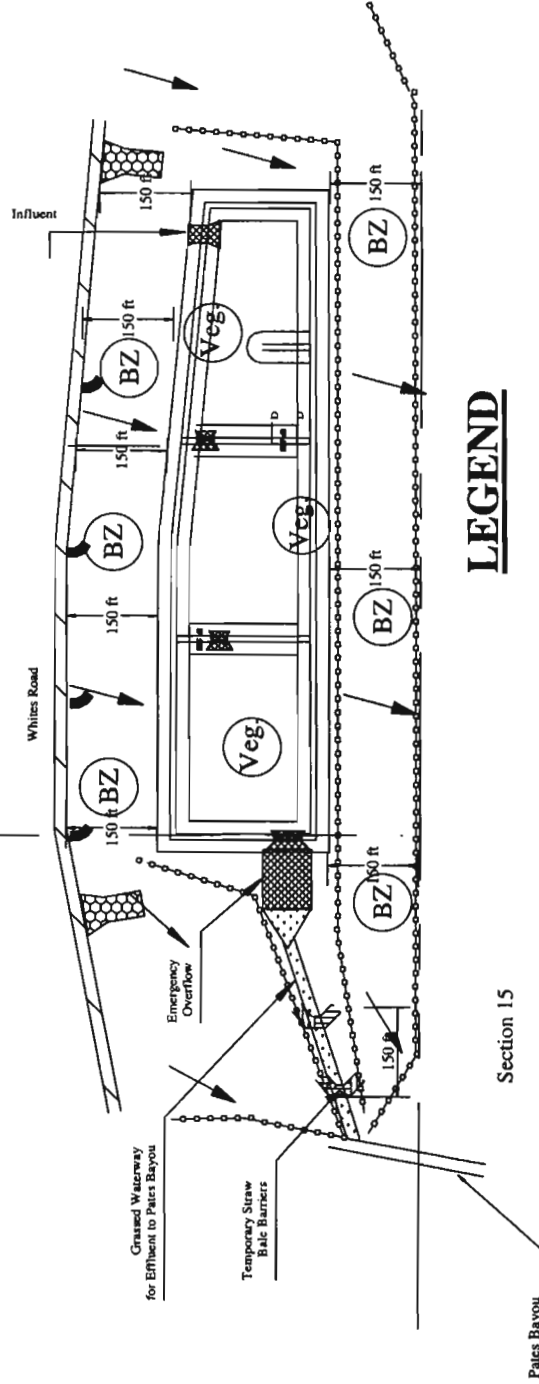
PEARLINGTON DIRT LLC
J LEVENS BUILDERS INC

Note: Field Verify all setbacks, dimensions and pond cell areas. Prints and dimensions based from MARIS GIS System. No site specific survey available.



Section 10

Section 11

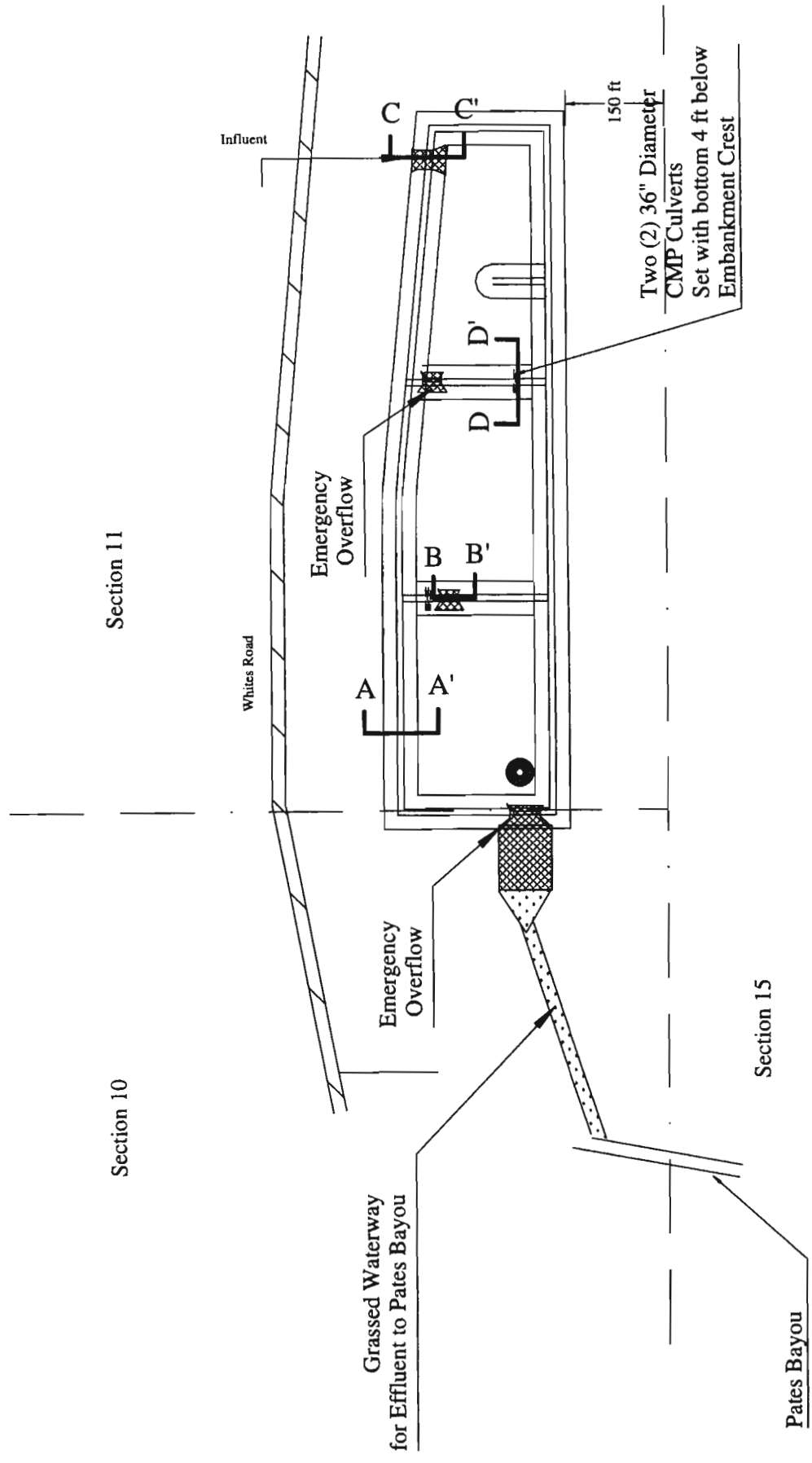


LEGEND

-  Construction Entrance/Exit
-  Property Line
-  Sediment Fence
-  Buffer Zone
-  Run-Off Direction
-  Maintain Vegetation (Grassed) on Embankments and all disturbed areas.
-  Rock Check Dams

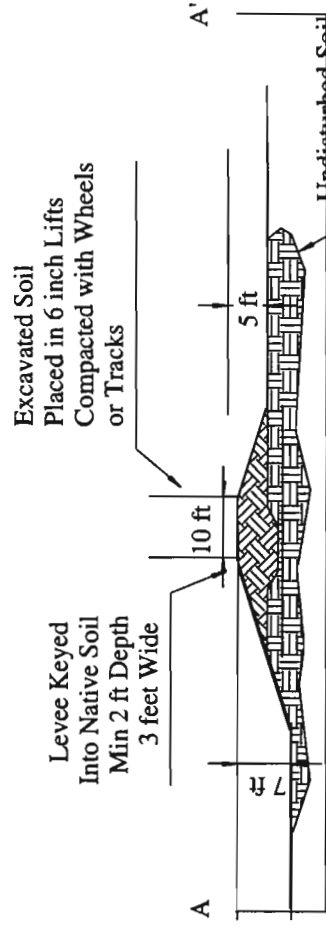
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PEARLINGTON DIRT LLC
J LEVENS BUILDERS INC



<p>Epes Environmental and Consulting, PLLC 410 N. Main Street, Water Valley, MS 38965</p>	<p>CEMVK-OD-FE ADS-MVK-2006-1647</p> <p>PEARLINGTON DIRT LLC J LEVENS BUILDERS INC</p>
<p>Section 10</p>	<p>Section 11</p>

Section 15



Typical Levee Cross Section

Epes Environmental and Consulting, PLLC
410 N. Main Street, Water Valley, MS 38965

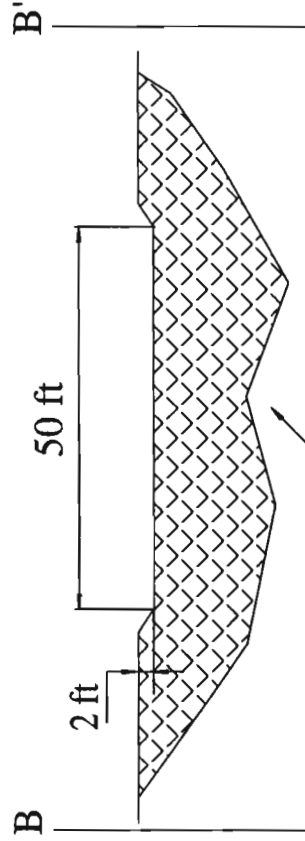
TITLE

E.C.

Sedimentation Pond Details
Pearlington Dirt, LLC

CEMVK-OD-FE ADS-MVK-2006-1647

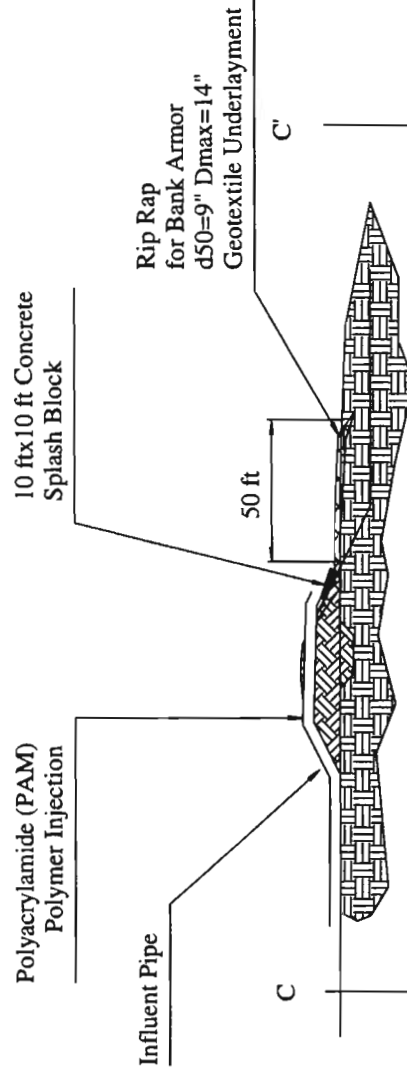
PEARLINGTON DIRT LLC
J LEVENS BUILDERS INC



Rip Rap for Bank Armor and
Emergency Overflow Channel
Geotextile Liner Below Rock
d50=9" dmax = 14"
Min. Depth 2 ft.

Emergency Overflow Cross Section

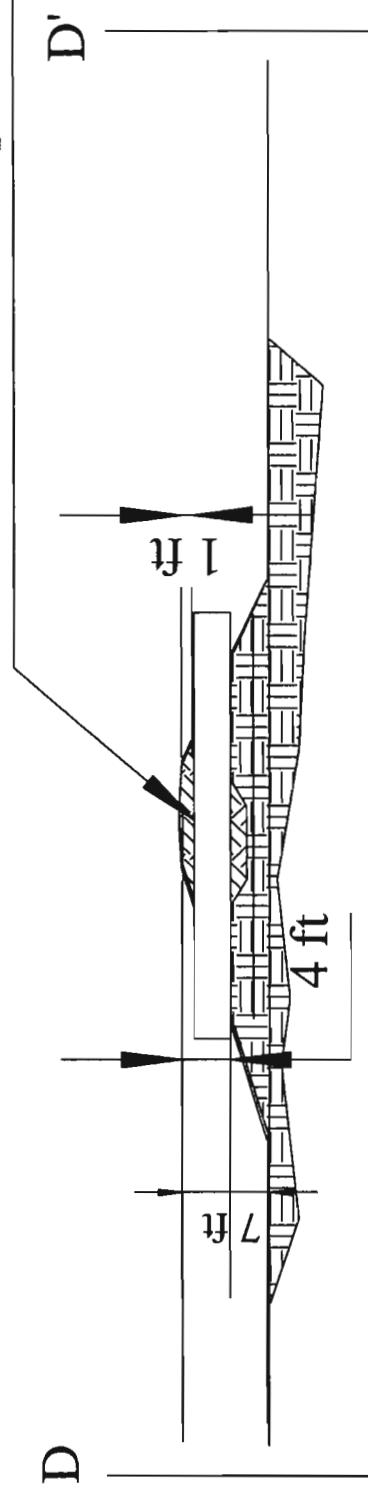
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<div data-bbox="1299 270 1356 567" data-label="Text"> <p>TIME Sedimentation Pond Details Pearlington Dirt, LLC</p> </div>	<div data-bbox="1382 207 1414 806" data-label="Text"> <p>CEMVK-OD-FE ADS-MVK-2006-1647</p> </div> <div data-bbox="1455 399 1521 806" data-label="Text"> <p>PEARLINGTON DIRT LLC J LEVENS BUILDERS INC</p> </div>



Stilling Apron Detail/ Influent Piping

<p>E₂C</p>	<p>Epes Environmental and Consulting, PLLC 410 N. Main Street, Water Valley, MS 38965</p>
<p>TITLE</p>	<p>Sedimentation Pond Details Pearlington Dirt, LLC Levens Surface Pit</p>
<p>CEMVK-OD-FE</p>	<p>ADS-MVK-2006-1647</p>
<p>PEARLINGTON DIRT LLC</p>	<p>J LEVENS BUILDERS INC</p>

36" CMP or Equiv. Culvert
Two (2) Set 3 Feet apart.



Epes Environmental and Consulting, PLLC
410 N. Main Street, Water Valley, MS 38965

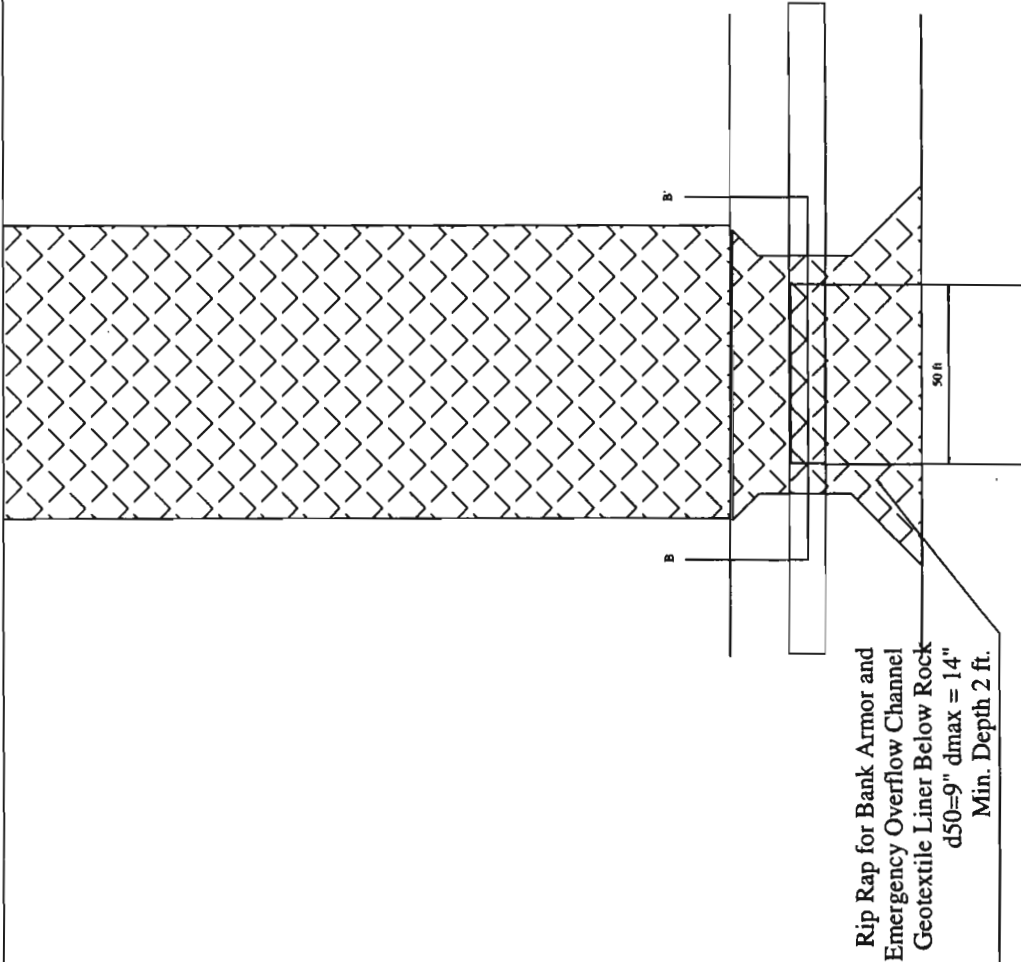
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TITLE

Sedimentation Pond Details
Pearlington Dirt, LLC
Levens Surface P

CEMVK-OD-FE ADS-MVK-2006-1647

PEARLINGTON DIRT LLC
J LEVENS BUILDERS INC



Emergency Overflow Detail



TITLE

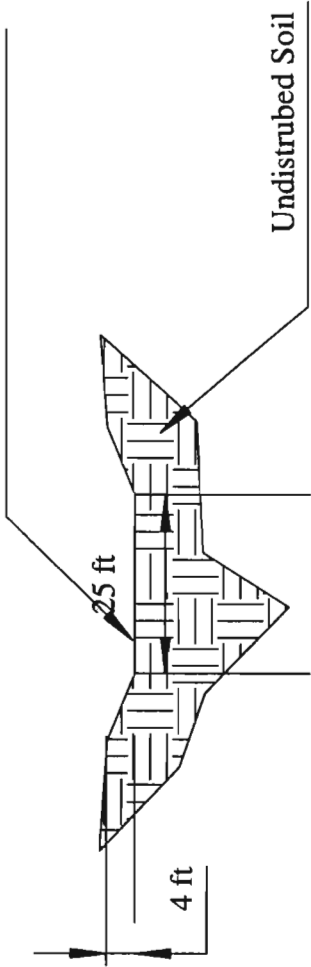
Epes Environmental and Consulting, PLLC
410 N. Main Street, Water Valley, MS 38965

Sedimentation Pond Details
Pearlington Dirt, LLC


CEMVK-OD-FE ADS-MVK-2006-1647

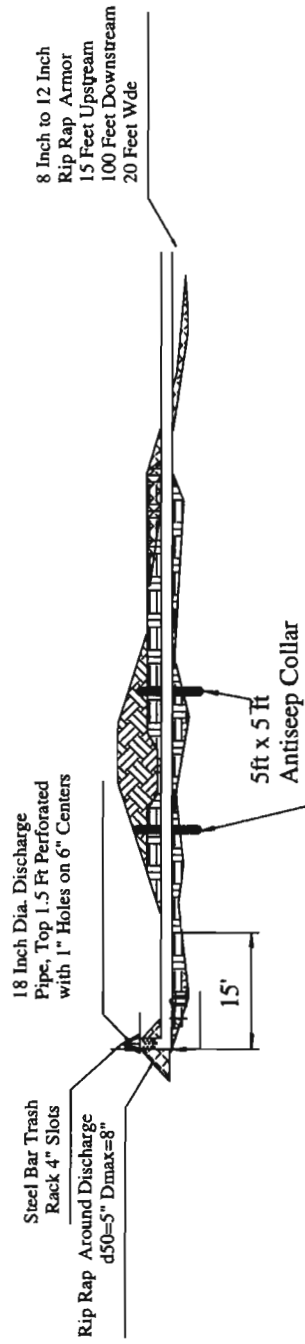
PEARLINGTON DIRT LLC
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Grassed Trapezoidal Waterway
Follow Slope to Pates Bayou



Grassed Effluent Channel

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	TITLE	Sedimentation Pond Details Pearlington Dirt, LLC Levens Surface Pit
CEMVK-OD-FE ADS-MVK-2006-1647		
PEARLINGTON DIRT LLC J LEVENS BUILDERS INC		



Outfall and Discharge Pipe Detail

Epes Environmental and Consulting, PLLC
410 N. Main Street, Water Valley, MS 38965



PEARLINGTON DIRT LLC
Levens Surface Pit

CEMVK-OD-FE ADS-MVK-2006-1647

PEARLINGTON DIRT LLC
J LEVENS BUILDERS INC